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for the corporation. Also that the rule of demand and refusal, as held in *Tompkins v. Fonda Glove Lining Co.*, 188 N. Y. 261, 80 N. E. 933, and *Converse v. Sickles*, 146 N. Y. 200, 40 N. E. 777, 48 Am. St. Rep. 790, has no application in a case where the lawful custodian of property commits an overt and possible act of conversion by an unlawful disposition of the same. *Pease v. Smith*, 61 N. Y. 477. LAUGHLIN, J., in the Appellate Division, and HAIGHT and BARTLETT, J.J., in the Court of Appeals, dissented on the ground that the secretary was guilty of conversion and that defendant became guilty of conversion at the same time, because it took the bonds with knowledge of the material facts and was therefore equally a wrongdoer with him. Authorities seem to sustain the dissenting view. In a case involving the facts of the principal case, it was held that the secretary held the bonds as an officer of the corporation to raise money for corporate purposes, and when he used them for his individual benefit he became a naked wrongdoer without title. *Buffalo Loan, Trust & Safe Deposit Co. v. Medina Gas & Electric Light Co.*, 162 N. Y. 67, 56 N. E. 505. Where an agent parts with property, in a way or for a purpose not authorized, he is liable for conversion. *Laverty v. Sneathen*, 68 N. Y. 522, 23 Am. Rep. 184. If goods be wrongfully taken by one party, another who has since come into possession of them, with knowledge of the wrongful taking, is deemed as much a wrongdoer as the original tortious taker. *Tallman v. Turck*, 26 Barb. 167. Every person who knowingly aids and abets another in the conversion of the property of a third person renders himself liable to such third person for the value of the property so converted. *Osborne Co. v. Plano Mfg. Co.*, 51 Neb. 502. To the same effect, *Herron v. Hughes*, 25 Cal. 556. If a bailee of property for a special purpose, sells or pledges it without right, the purchaser does not thereby acquire lawful title or possession, and the owner may maintain trover against him without demand. *Hotchkiss v. Hunt*, 49 Me. 213. One who purchases a note, with knowledge that it belongs to another, is guilty of an illegal conversion. *Allison & Crane v. King*, 25 Ia. 56. To the same effect, *The White Sewing Machine Co. v. Betting*, 46 Mo. App. 417, and *Rice v. Clark*, 8 Vt. 109.

CORPORATIONS—STOCKHOLDER'S LIABILITY—ENFORCEMENT IN OTHER STATES. —It having appeared that the assets of a Minnesota corporation were insufficient to pay the corporate debts, the Minnesota court levied an assessment on all stockholders under Section 3 of Article 10 of the Minnesota Constitution. The Gen. Laws Minnesota 1899, p. 315, c. 272. after such levy authorize the receiver to prosecute actions for the assessment, whether the stockholder be within or without the state. This action is in Wisconsin by the receiver against a Wisconsin stockholder of the Minnesota corporation. *Held*, that the courts of Wisconsin are not required as a matter of comity to entertain such action. *Converse v. Hamilton* (1908), — Wis. —, 118 N. W. 190.

Whether the Wisconsin court should permit an action to be maintained, because of the principle of comity, is a question exclusively for the courts of that state to decide. *Finney v. Guy*, 189 U. S. 335, 23 Sup. Ct. 558, 47 L. Ed. 839. In the principal case the court rests its decision on the case of *Hunt v.*

Whewell, 122 Wis. 33, 99 N. W. 599, which decided the precise point herein involved as the court has in the principal case. The majority of the courts have, however, inclined to sustain similar actions on the principle of comity. In an action by the same receiver and for the same purpose as that in the principal case, the Massachusetts court sustained the action. *Converse v. Ayer*, 197 Mass. 443, 84 N. E. 98. VANN, J., in giving the opinion of the court in *Howarth v. Angle*, 162 N. Y. 179, says, "When an action by a foreign receiver to collect assets, under the authority of the court which appointed him, works no detriment to any citizen of this state, and is not repugnant to its policy, it would be a provincial and narrow view for our courts to refuse to extend the usual state comity." In a case where the statute confers a right upon a receiver, as quasi assignee, and representative of the creditors, and as such vested with authority to maintain an action, the receiver may sue in a foreign jurisdiction. *Bernheimer v. Converse*, 206 U. S. 516, 27 Sup. Ct. 755, 51 L. Ed. 1163. For other similar holdings, see *Guernsey v. Moore*, 131 Mo. 650; *Aultman's Appeal*, 98 Pa. St. 505; *Flash v. Conn*, 109 U. S. 371; *Howarth v. Lombard*, 175 Mass. 570, 56 N. E. 888.

DAMAGES—FOR INTERFERENCE WITH EMPLOYMENT—MENTAL SUFFERING AN ELEMENT.—Plaintiff, refused admission to a union, is maliciously kept out of employment by the defendants, who procure his discharge through the threat of strikes upon his employers and through fear of bodily injury to himself. In an action in tort against the defendants, the walking delegate et al., for the torts to plaintiff's person and for malicious interference with his means of livelihood, *held*, his trade and the contracts by which he is employed are in the nature of property, therefore he is entitled to damages for mental suffering caused by the malicious interference with this property, in addition to damages for his pecuniary loss. *Carter v. Oster* (1908), — Mo. App. —, 112 S. W. 995.

Third parties are liable for inducing breaches of contract by unlawful methods. *Lumley v. Gye*, 2 El. & Bl. 216; *Angle v. Chi., St. P., etc., Ry.*, 151 U. S. 1; *Moran v. Dunphy*, 177 Mass. 485. A conspiracy to deprive one of the benefit of a contract with another is unlawful. *Garst v. Charles*, 187 Mass. 144. Interference with one's employment amounting to intimidation gives a right of action for damages. *O'Neil v. Behanna*, 182 Pa. St. 236. The general rule seems to be that in the absence of statute, mental suffering is only the subject of damages when connected with bodily injury. *Connell v. West. Union Tel. Co.*, 116 Mo. 34; *Pittsburg C. C. & St. L. v. Story*, 63 Ill. App. 239; *Chicago v. McLean*, 133 Ill. 148; *Shellabarger v. Morris*, 115 Mo. App. 566; *Beaulieu v. Great Northern*, 103 Minn. 47. The decision in the principal case is based on the principle of *Moyer v. Gordon*, 113 Ind. 282, and *Fillebroven v. Hoar*, 124 Mass. 580, where in the case of wrongful eviction and malicious interference with property, damages for mental suffering were allowed.

DEDICATION — ACCEPTANCE — ORDINANCE FIXING GRADE.—A street was dedicated to the defendant city. In 1899 the defendant adopted an ordinance establishing the grade of several streets, among them this street. An owner